

TURK U.S. CONGRESS

Jacob Turk for Missouri's 5th District
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2012 JUL 20 10:11:16

OFFICE

Mr. Jeff Jordan, Supervising Attorney
Complaints Examination & Legal Administration
Federal Election Commission
Washington, D.C. 20463

Re: MUR 6592

July 19, 2012

Dear Mr. Jordan,

This is our response to the complaint filed by Mr. Stephen R. Bough, a personal injury attorney and Chairman of the Jackson County Democratic Committee, against the Jacob Turk for Congress Campaign.

The majority of Mr. Bough's complaints are baseless with no evidence to back up such allegations and complaints.

Attached are two such examples of Mr. Bough's quality of complaints:

- Exhibit AA cites a comment on a partisan political blogger's page that is mere innuendo and rumor "there's been credible talk of..." as an allegation of non-compliance!
- Exhibit C is a blog entry of Mr. Scott Pinto as "evidence" of an infraction, yet the screen shot of the blog entry in and of itself refutes the complaint.

This is the second frivolous complaint by Mr. Bough that demonstrates not only politically motivated frivolous allegations but also a lack of

Leadership. Not Politics.

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understanding of FEC rules and regulations. Mr. Bough is not a sincere citizen with genuine concerns of impropriety, but a political operative engaging in the practice of "throwing some mud on the wall and hope some will stick" tactics to undermine the momentum of a genuine, grassroots campaign of a sincere candidate.

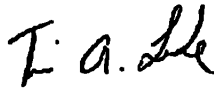
We respectfully request the FEC look into the quality of the allegations made by Mr. Bough. If they fall short of a reasonable standard, we believe he should be reprimanded by the FEC and barred from making future complaints.

Out of 27 allegations of non-compliance, only 2 have any measure of merit at all and are minor infractions. The Turk for Congress Campaign has demonstrated good faith and effort to comply with not only the letter of the FEC rules but the spirit as well and continues to do so.

Following is a response to each and every one of Mr. Bough's 27 allegations. We have numbered each one for your convenience in reviewing them.

It is our sincere desire to comply with all FEC rules and we will make every effort to correct any errors, omissions or misunderstandings on our part. Please let us know if there is any additional information we can provide that would be helpful in addressing Mr. Bough's complaint, and any recommendations for adjustments or changes we should make to better comply with the expectations of the Federal Election Commission.

Sincerely,



Tim Luke
Treasurer, Jacob Turk for Congress
Tim@Turkforcongress.com

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recent filings and it is not. The check should have been given to the TV station 24 hours prior to the commercial airing. In addition: How is he supporting himself and his wife? He doesn't seem to have a job. He closed his business and his wife doesn't work. There are also some very credible talk that the Turk campaign is paying people in cash. And that should raise a few eyebrows."

Campaign finance questions never really end up being a big deal but this talk against Turk is starting to gain momentum. It was widely touted that this has been a "clean" campaign . . . Upon further inspection, not so much. I'm sure Turk might be able to easily answer this question, but it's pretty much a foregone conclusion that he's going to lose . . . Only by a closer margin, so I doubt he'll bother.

POSTED BY TONY AT 10/26/2010 04:11:00 PM

SHARETHIS

13 COMMENTS:

Anonymous said...

I'm sure Turk is clean enough. Real issue is how close will this goober get to Cleaver. Cleaver is showing he is now vulnerable to a real R next time.

10/26/10 4:48 PM

Anonymous said...

You're right A WHITE guy can't beat Hisoner. Sq it's a waste of time to worry about this stuff. Hell, they probably (the repubs) had to pay this guy to run.

10/26/10 4:49 PM

Radioman KC said...

Questions, questions, always questions about everyone's campaign. The guys has nice looking red hair.

And now questions. No wonder it's hard to get good candidates running for office.

10/26/10 4:52 PM

TKC'S FAVORITE KANSAS CITY BLOGS

Alonzo Washington

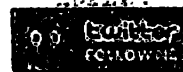
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The Scott R. Pinto Blog

Sunday, January 15, 2012

180 Degrees

As of now, the Predator project I have been working on is put on hold indefinitely. Hopefully, I will take it up again once here in the future, but we had opened up a door somewhere else.

John in December the Jack Turk for Congress Campaign interviewed me over the phone. They were looking for someone to be their Media Director. The interview went well, but the job didn't pay enough, so I figured that it was a closed door. Which was tough because I really wanted the job. During high school and college I followed politics and volunteered on various different political campaigns. And seeing as how no job were opening up in New Jersey I thought this would be a great opportunity. It was just too bad that I couldn't take the job. But the next day I received a message from the Turk campaign that they had a higher paying position available that I should apply for, so I did. Soon after that I was offered the position of campaign manager. It's a full time job, but it's a lot of fun. I'm currently in Missouri, it's the capital and includes most of Jackson county. It's an uphill challenge. Mr. Turk is running against a four term incumbent, Rep. Emanuel Cleaver. But if there was no challenge where would the fun be! What questions do you have about life in Missouri? I've been here for three days at this point and am still getting used to the place, but at the least it promises to be a good experience!

Posted by Scott R. Pinto at 1:20 PM 0 Comments

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About Me

Scott R. Pinto
I love creating
independent
short films and
meeting
people who
share my
passion!
[View my
complete
profile](#)

Blog Archive

▼ 2012 (1)

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► 2011 (5)

Sunday, December 25, 2011

Steadily Trudging On

This week I continued to work on the Predator costume by finishing the right arm piece that houses the double blades. I spray painted it completely black except for the front by the blades, which I'll do later. I then went I look at it, the more details I think it needs. I haven't even started the left one.



One cool thing about the arm piece is I left the top metal panel loose and attached it with black tape. It can open just like in the movie, but I'm not sure if I'm going to do anything with that.

"will be working"

	Allegation	Response	Recommended Resolution
1	Failed to file Statement of Candidacy	Paperwork oversight. Corrective action has been taken. See complaint #2.	The violation was technical in nature. Corrective action has been taken.
2	2011 year-end report filing justifies a Statement of Candidacy for the 2012 election cycle	The campaign submitted a campaign candidacy update in 2011 reflecting a change in Treasurer for the 2012 election cycle. We erroneously assumed that such a submission satisfied the Statement of Candidacy requirement. A Statement of Candidacy for 2012 is now on file with the FEC.	See complaint #1
3	Thousands of dollars of billboards were installed in 2011 and not reflected on the year-end filing	False allegation. All billboard purchases were properly reported.	Speculative, false allegation. We move the allegation be dismissed with prejudice.
4	First quarter 2012 report "appears to reflect only a portion of the billboards installed."	Speculative and unsubstantiated. The campaign reported all billboard expenditures in first quarter 2012. "Appears to reflect" doesn't even rise to the level of an allegation.	Speculative. We move the complaint be dismissed and the complainant chastised.
5	Supposedly a billboard executive was approached by a group of MO business owners to purchase billboards on behalf of Turk for Congress with an idea of purchasing billboards on behalf of Turk for Congress and if any purchases were made then it should have been reported as an in-kind contribution.	Unsubstantiated hearsay. Complaint is not of an improper action but of a hypothetical, and even that hypothetical – if it would happen in the future - may not be an infraction at all.	Speculative. We move the allegation be summarily dismissed.

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| 6 | Billboards staying up beyond lease term constitutes an "in kind" donation by a corporation | No violation. It is standard industry practice to leave billboard papers in place until the next client purchases the space. Billboard companies generally do not spend resources taking down or covering up billboards when the lease is expired. Candidates have no input in nor control over the policies of billboard companies nor the advertising decisions of other entities renting billboards following theirs. <u>We request an FEC Advisory Opinion on this matter so that billboard companies do not feel compelled to incur the extra expense of taking down or covering up expired billboards for political candidates.</u> The corporate attorney from CBS outdoor advertising, as a result of Mr. Bangb's complaint, is considering compelling all of CBS's operations to start the practice of taking down or covering up expired political billboards to avoid problems with the FEC. If billboard companies were compelled to do so, it would increase the cost of billboard advertising and this additional cost by CBS would simply be passed on to political candidates, making outdoor advertising unnecessarily more expensive thereby giving incumbent candidates a distinct edge and unfair advantage over challengers. This would favor incumbents and create an undue barrier to participation by grassroots and challenger candidates. | No violation. We move the complaint be dismissed and we request an FEC Advisory Opinion on the matter. |
| 7 | Billboards fail to appropriately list the "Paid for by" disclaimer | A technical violation. The "paid for by Jacob Turk for Congress" is clearly visible, legible, and the public was not misled in any way of who paid for the billboard. It was an oversight by the graphic designer to not put a box around the language on some billboards. Corrective action has been taken (the "box" has been added to all new billboards) | The violation was technical in nature. Corrective action has been taken. |
| 8 | The Turk for Congress Campaign logo must have the words "for" in it. | No violation. Per FEC Information Officer David Byrd on 7/6/2012 (202) 694-1100 there are no FEC rules governing campaign logos. Zero. None. Further, FEC Advisory Opinion 1986-11 clarified and settled the very question Mr. Bough raises back in 1986. | Superfluous allegation. We move the allegation be dismissed and the complainant be reprimanded. |

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- 9 Mileage reimbursements fall outside allowable time frames established by the FEC.
- The mileage reimbursement in question in early 2011 was for miles driven in the 2010 campaign. Many 2010 campaign bills were paid after the election. Mileage reimbursement was viewed as campaign debt by our Treasurer and therefore paid post election. All miles driven were properly logged and accounted for per IRS regulations and were reimbursed at the standard IRS rate. According to the FEC Information Division as well as our FEC Analyst Vickie Davis, although FEC regulations clearly state that travel expenses (gas, oil changes, car maintenance) paid for by cash or check must be reimbursed within 30 days and those incurred by credit card be reimbursed within 60 days, the FEC regulations seem to be silent in regard to any time limits of when mileage reimbursement must be paid. Our interpretation was determined to be quite reasonable by FEC Analyst Davis and there are no Advisory Opinions to date to guide candidates pertaining to this particular issue. Analyst Davis further stated that this is the first time this question has been put to her for analysis or interpretation and that she was supportive of our interpretation of this expense. Nonetheless, as an abundance of caution, our new practice is to reimburse mileage on a weekly or biweekly basis. Due to redistricting of 2011, the new district is now 100 miles wide and 5 counties large (instead of 30 miles wide and limited to 2 counties) so there will be a significant increase in mileage reimbursement for the 2012 campaign over 2010 levels.
- No violation. We move for complete dismissal of this allegation.
- 10 Mileage reimbursement seems too high based on .50¢ per mile
- "Seems too high"? Speculative. No Violation. All miles are properly logged and accounted for and reimbursed at the standard IRS rate. Our Treasurer was a CPA and was very careful to always reimburse miles at the current IRS rate. Where's any evidence to support this politically induced innuendo?
- Talk about speculation. We move the allegation be dismissed and the complainant reprimanded.

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| 11 | Mr. Turk directly solicited campaign donors for personal use of airline tickets for him and his wife. | Regretful frivolous comment. No violation. The flippant comment on a personal facebook page after the election of "Donna and I could use a little getaway once we get this election certified. Anybody got extra plane tickets they're not using?" was a glib comment and not intended as a solicitation for the campaign. Clearly, stating "once the election is certified" on Nov. 5, 2010 after the Nov. 2, 2010 election indicated it was not for campaign purposes. Joking in this manner was an error in judgment - we sincerely apologize for making such a statement in jest on Jacob Turk's personal facebook page. It was not posted on the campaign page and was unfortunately auto-tweeted. Although the facebook post itself was removed within 5 minutes of posting it, it was unfortunately also automatically added to his Twitter feed, which has been removed as well. No donations of plane tickets were ever made nor received by the Turks. | No violation. We move the allegation be dismissed. |
| 12 | The campaign had 3 employees in 4 th quarter 2011 | False allegation. Refuted in the very documentation Mr. Bough submitted as "evidence"! On a blog post dated January 15, 2012 Mr. Pinto states on his personal blog that he has been hired by the Turk Campaign "I will be working for the next 10 months". This clearly states future activity. The campaign had zero employees in 2011. | No violation. We move the allegation be dismissed. |
| 13 | Mr. Turk's campaign received legal services from attorney Jaime Barker Landes but did not disclose them. | False allegation. Speculative and unsubstantiated. Zero legal services were provided to the Turk for Congress Campaign from Ms. Landes; the law suit referenced is independent of the campaign, and the plaintiff cited, Mrs. Donna Turk, was participating in the suit as a citizen and disenfranchised voter of Missouri, not as a campaign representative. The case is clearly logged with the court system, including the Missouri Supreme Court, as a law suit by citizens, not by the Turk for Congress Campaign. Mr. Bough is a licensed attorney - he should understand the difference. | Speculative. We move the allegation be dismissed. |
| 14 | Turk for Congress held a fundraising event at Faulkner's Ranch but no expenses were disclosed in FEC report | False allegation. Event was canceled - it did not occur! | No violation. We move the allegation be dismissed. |

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| 15 | Failed to report an in-kind contribution for a donated White House Easter Egg. | No violation. Ebay market price for egg is \$19 to \$30, well below the threshold for reporting as an individual contribution. | No violation. We move the allegation be dismissed. |
| 16 | Failed to properly disclaim campaign materials having "Paid for By" disclaimer included in a box. | No violation. Virtually all Turk for Congress campaign materials contain the required disclosure of "Paid for by Jacob Turk for Congress". No attempt has been made to mislead the public. The items referred to in the complaint do not require the disclaimer. In complaint # 16 Mr. Bough sites bumper stickers, business cards and paraphernalia requiring the disclosure, yet items such as these have already been addressed by the FEC in 11 CFR 110.11(f) "In situations where a disclaimer notice cannot be conveniently printed, the notice is not required. This provision affects items such as pens, bumper stickers, campaign pins, campaign buttons and similar small items..." See also AO 2002-09 Nonetheless, as an abundance of caution, all campaign printed materials have been reviewed and any needing enhanced disclaimers (such as a "box" around the "Paid for by..." language) have been corrected. | No violation. We move the allegation be dismissed. |
| 17 | Campaign logo does not contain "for" or "vote for" | No violation. Per FEC Information Officer David Byrd on 7/6/2012 (202) 694-1100 there are no FEC rules governing campaign logos. Further, FEC Advisory Opinion 1986-11 clarifies and settles the very question Mr. Bough raises. | No violation. We move the allegation be dismissed. |
| 18 | Failed to disclose TV advertising purchases timely. | False allegation. Mr. Bough's "Exhibit P" refutes the claim itself. No TV time was purchased before October 2010. All TV advertising purchases were reported timely and properly. | No violation. We move the allegation be dismissed. |
| 19 | Might have accepted corporate donations | "Might havn..." Here again we have total made up fabrication without any basis in fact. Speculative and unsubstantiated. Items mentioned were all personal, not corporate, donations (Garmin GPS, vacation rental, catering at Lone Summit Ranch). All 3 donations were handled properly as personal donations to the campaign, not as a donation from any corporation. | Speculative. We move the allegation be dismissed and the complainant reprimanded. |

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| 20 | Failure to disclose utility expenditures | No violation. The campaign occupied a headquarters for less than 2 full months. Utility bills per vendor were less than \$200 thereby they did not reach the threshold for individual reporting. | No violation. We move the allegation be dismissed. |
| 21 | Failed to report an "in-kind" advertisement made by Charles Falkenberg. | No violation. The ad in question was clearly disclosed as paid for by Mr. Falkenberg (not the campaign). Per the FEC Information Division, since the value of the ad was less than \$200 it does not meet the disclosure requirement threshold for a separately listed contribution but rolled into the aggregate contributions for Mr. Falkenberg. | No violation. We move the allegation be dismissed. |
| 22 | Coordinated with Missouri right to Life on advertisements. | False allegation. Speculative. This 3rd party expenditure was without the coordination of or participation of the campaign. Images and text have often been "lifted" from the campaign web site by a number of people and entities - including Mr. Bough himself - without the campaign's knowledge or participation. | Speculative false allegation. We move the allegation be dismissed. |
| 23 | Failed to appropriately disclose a federal candidate raising money for a state or local candidate | No intentional violation. The fund raiser was hosted by Mr. & Mrs. Turk personally in their private home in January 2011 - clearly after the conclusion of the 2010 election so Mr. Turk was no longer a Federal candidate for office but a private citizen at the time. No campaign funds were contributed to Ms. Wood's campaign. | We move the allegation be dismissed. |
| 24 | Failed to disclose expenditures for renting facilities. | No violation. Facility rentals in question was below the \$200 threshold for disclosure. | No violation. We move the allegation be dismissed. |
| 25 | Tropical Smo might be a corporation and thereby if it is it would be an improper contribution. | Here again we have "might be" - that's not even an accusation. | Speculative. We move the allegation be dismissed and the complainant reprimanded. |

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| 26 | Possible violation because a rumor on an internet blog suggests the campaign pays workers in cash. | A rumor?! Complainant is consistent in trying to utilize politically induced innuendo. Speculative. Based on hearsay. | Speculative. We move the so called allegation be dismissed and the complainant reprimanded. |
| 27 | Possible violation because an anonymous comment on a social media site claims a cash donation to the campaign of no specified amount and Mr. Bough recommends the FEC should contact this person and confirm that the dollar threshold of the contribution was below \$200. | An anonymous comment on a web site post does not qualify as a valid allegation of non-compliance of FEC rules and regulations. | Speculative. We move the allegation be summarily dismissed. |

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